

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Joseph T. Powell, Sr.,	:	
	:	
Plaintiff	:	Case No. 2:07-cv-01013
	:	
v.	:	Judge Sargus
	:	
Michael J. Astrue,	:	Magistrate Judge
Commissioner of Social Security,	:	
	:	
Defendant	:	
	:	

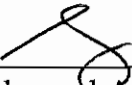
Order

The parties joint February 14, 2008 motion for the Court to enter a judgment pursuant to the fourth sentence of 42 U.S.C. § 405(g), reversing the Agency's decision and remanding to the Commissioner for further consideration of Plaintiff's applications for Disability Insurance Benefits and Supplemental Security Income (doc. 13) is GRANTED.

On remand, an administrative law judge shall evaluate Plaintiff Powell's functional limitations on a function by function basis in accordance with Social Security Ruling 96-8p. The administrative law judge shall evaluate Plaintiff's mental impairments pursuant to 20 C.F.R. § 404.1520a, and determine his specific mental limitations, if any. The administrative law judge shall further assess Plaintiff's credibility. The administrative law judge shall obtain further evidence from a vocational expert to clarify the effect of the assessed limitations on Mr. Powell's occupational base, and the

availability, if any, of appropriate jobs and the incidence of such jobs in the national economy. In addition, the administrative law judge shall hold another administrative hearing, at which Mr. Powell may testify, and issue a *de novo* decision.

The Clerk of Court is DIRECTED to enter judgment pursuant to the fourth sentence of 42 U.S.C. § 405(g) REMANDING this case to the Commissioner for further proceedings consistent with this Order.

 2-19-08

Edmund A. Sargus, Jr.
United States District Judge